Public Safety Briefs

Trooper unhurt in Friday crash

A Utah Highway Patrol trooper escaped injury Friday after his patrol car was struck while he was investigating an accident.

Duchesne County Sheriff's Sgt. John Crowley said UHP Trooper Luke Stradinger was seated in his car on U.S. 40 near the Bridgeland junction, with his emergency lights activated, when he was hit. Stradinger was in the middle of investigating a single-vehicle rollover, Crowley said, when another motorist lost control of her sedan on the snow-packed road and hit the patrol car at an estimated 40 mph.

The impact pushed the patrol car about 15 feet.

Neither Stradinger nor the driver who hit him were injured, Crowley said, and the trooper was back on duty Saturday. Both cars suffered heavy damage.

Crowley said the crash is a reminder of the dangers officers face whenever they're stopped on the side of the road. He encouraged drivers to slow down when they see emergency lights and move over if it's safe to do so, as required by state law.

Crowley did not rule out charges against the woman who hit Stradinger. The case has been referred to the Duchesne County Attorney's Office.

Drivers urged to slow down

Utah Highway Patrol troopers are asking drivers in the Uintah Basin to slow down after a weekend filled with more than a dozen crashes.

UHP spokesman Rex Olsen said high winds and drifting snow, combined with drivers failing to slow down for the poor road conditions, led to numerous crashes on county and state roads between Friday and Sunday.

Olsen said three crashes involving four vehicles occurred on U.S. 40 north of Myton within 45 minutes of each other. Troopers said the primary causes of the crashes is drivers traveling too fast for existing conditions.

State and county road departments are working as best as they can to clear the snow off of the road ways, Olsen said, but drivers are ultimately responsible for reducing their speed when the conditions require it.

Cemetery crash driver was DUI

A man who crashed his father-in-law's truck last Tuesday morning after losing control of the vehicle near the Roosevelt City Cemetery has pleaded guilty to driving under the influence of alcohol.

Prairie Elfstone Wolfe, 37, entered his guilty plea Thursday morning to class A misdemeanor DUI with personal injury, open container in a vehicle, a class C misdemeanor, and failure to maintain control of a vehicle, an infraction. City prosecutors agreed to ask the court to dismiss a seatbelt violation against Wolfe.

Roosevelt City Police Chief Rick Harrison said Wolfe was eastbound on U.S. 40 at about 9 a.m. when he lost control of the truck he was driving and rolled it onto its side. The vehicle then slid into a large rock near the cemetery. Wolfe, who suffered a broken nose in the crash, was able to free himself from the truck, the chief said.

Harrison said Wolfe's father-in-law told investigators he had not given Wolfe permission to take his truck. Police agreed not to seek additional charges against Wolfe in exchange for his promise to pay restitution for the damage done to the vehicle.

Wolfe is scheduled to return to court March 6 for sentencing.

Jury trial set for Roosevelt teen

A 4th District Court judge in Provo has scheduled a two-day jury trial for a Roosevelt youth accused of attempted murder.

Judge Steven L. Hansen set the March 19-20 trial date for Jerry Gale during a hearing last Tuesday. The 17-year-old is charged with attempted murder, two counts of theft, and three counts of burglary of a dwelling.

According to Provo police, Gale and another teen ran away from Heritage School, an acute psychiatric treatment center for teens, on Sept. 1. The school's runaway team pursued the boys before one member of the team cornered the pair in an apartment complex laundry room.

Police say Gale pointed a stolen gun at the man, then pistol-whipped him into unconsciousness and fled. Gale and the other teen were arrested the following day on a trail in Provo Canyon.

Originally charged in juvenile court, Gale was bound over to stand trial as an adult in November.

Defense attorney Keith Eddington has said his client was given medication at Heritage School that is not meant for teens. Eddington said that medication error is what led to Gale's alleged criminal behavior.

Gale remains in the Utah County Jail, where he is being held on a $10,000 cash-only bail.

Daggett escapees plead not guilty

Two convicted killers pleaded not guilty Thursday to federal charges stemming from their escape last year from the Daggett County Jail.

Danny Martin Gallegos and Juan Carlos Diaz-Arevalo are each charged with carjacking, possession of a stolen firearm and being a felon in possession of a firearm. The two could each face up to 35 years in prison if convicted on all three charges.

The pair was serving time for state murder convictions when they escaped from the Daggett County Jail in September. The federal charges stem from a Sept. 29 confrontation with a 79-year-old man that led to the capture of the two escapees.

Gallegos and Diaz-Arevalo, who had been hiding out in the wilderness, are accused of tying up retired police officer Bill Johnson in his camper trailer and stealing his SUV. Johnson managed to free himself and get help.

Gallegos, who was shot after a high-speed chase, entered the courtroom Thursday in a wheelchair.

Both men will remain in custody at the Utah State Prison pending an April 15 trial. Both also faced state escape charges, to which Diaz-Arevalo has pleaded guilty.

Reber petition asks federal court to examine state judge's actions

By Lezlee Whiting
Uintah Basin News Service

It isn't over till it's over according to the attorney representing a man who claims Native American heritage and wants a federal court to rule on whether his 2002 poaching case was handled legally by an 8th District Court judge.

Mike Humiston is the Heber City lawyer representing Rickie L. Reber, 54, a former Uintah County resident who claims one-18th Ute blood and membership in the Uinta Band.

Humiston, in a petition filed last month in U.S. District Court in Salt Lake City, claims that 8th District Court Judge A. Lynn Payne, who presided over his client's case, is "profoundly biased" against Reber and all of Humiston's clients who claim membership in the Uinta Band.

Court documents allege the judge erred in Reber's 2004 jury trial by prohibiting Humiston from putting on a defense involving Reber's claim of Native American heritage. The jury found Reber guilty of a third-degree felony poaching charge after seven minutes of deliberations.

"He will not even allow the subject of the Uinta Band to be discussed," Humiston said of Payne. "If a judge is prejudice, that's a denial of due process."

Humiston, in the past, has sought to have Payne taken off cases where defendants claim membership in the Uinta Band.

In December 2006, Humiston asked 8th District Court Judge John R. Anderson to remove Payne from the attempted murder case against Jesse Doyle Clark, who says he's a member of the Uinta Band. The 19-year-old is accused of stabbing another man during a 2004 party in Rock Creek.

In denying Humiston's request, Anderson wrote that the defense had "failed to produce sufficient evidence to establish prejudice or bias" on Payne's part against past defendants who claim Uinta Band heritage.

Humiston said if the U.S. District Court rules against his petition on behalf of Reber, he will still continue his legal battle.

"Either we will win at the district court or we will win at the 10th Circuit Court of Appeals," he said.

Reber claims he was hunting legally on Indian lands without a license six years ago in the belief that a 2002 U.S. 10th Circuit Court of Appeals ruling upheld his treaty rights as a member of the Uinta Band.

The Uinta Band is not a federally-recognized entity or tribe. Humiston maintains that due to the Termination Act, which disenrolled about three-fourths of the Uinta Band members from the Ute Tribe in the mid-1950s, the Uinta Band remains a legal entity, separate from the Ute Tribe.

Reber's parents were among the 490 mixed-blood Uinta band members of the Ute Indian Tribe who were terminated from membership in the tribe. Reber was a child at the time and his name did not appear on termination rolls.

Humiston believes the case against Reber – whose poaching conviction was upheld by the Utah State Supreme Court on appeal – should have been filed in federal court because the state courts have no authority to hear cases involving federal Indian law.

A hearing date for Humiston's federal petition had not been set at press time.

It's the Sign of Success

Wherever you look, you see the signs...

Papered Subdivision in Beautiful location in Maeser. Perfect for the right developer! Even has a small stream. Call Dennis Mott 828-7555 for details.

COLDWELL BANKER
ASPEN BROOK REALTY INC.

Dennis Mott, Broker, Agent
Office: (435) 789-7555
Cellular: 828-7555

"Expect the Best"
1340 West Highway 40, Vernal, UT 84078
Office: (435) 789-7555 • Fax: 781-2913

EASTERN UTAH INSURANCE

Call us today for all your insurance needs!

Allied Insurance
a Nationwide® company
On Your Side®

FAST PHONE QUOTES
Auto & Home Specialists

Vernal - 789-3843
Roosevelt - 722-5006

Agents
Claudia Burraston — Jason Burraston
Gregg Burraston

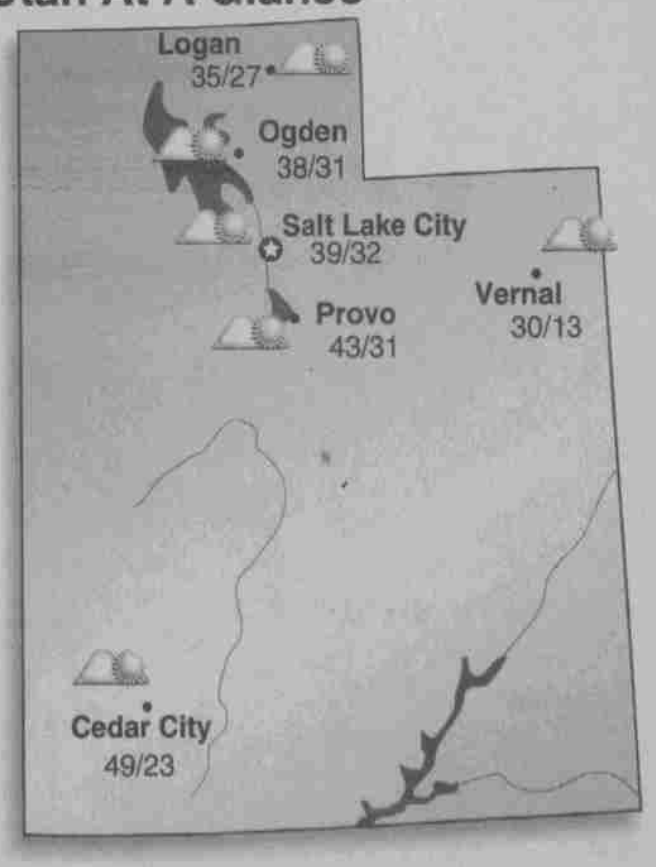
Today's Weather

Local 5-Day Forecast

Sun 2/10	Mon 2/11	Tue 2/12	Wed 2/13	Thu 2/14
30/13	31/7	29/10	31/12	29/9
Mix of sun and clouds. Highs in the low 30s and lows in the low teens.	A few snow showers.	Plenty of sun. Highs in the upper 20s and lows in the low teens.	Partly cloudy. Highs in the low 30s and lows in the low teens.	Mix of sun and clouds.
Sunrise 7:16 AM Sunset 5:46 PM	Sunrise 7:15 AM Sunset 5:47 PM	Sunrise 7:14 AM Sunset 5:49 PM	Sunrise 7:13 AM Sunset 5:50 PM	Sunrise 7:11 AM Sunset 5:51 PM

American Profile — We Celebrate Hometown Life
Stories for and about hometowns just like yours. Look for us each week in this paper.

Utah At A Glance



Moon Phases

New	First	Full	Last
Feb 7	Feb 14	Feb 21	Feb 29

UV Index

Sun	2/10	3	Moderate
Mon	2/11	3	Moderate
Tue	2/12	3	Moderate
Wed	2/13	3	Moderate
Thu	2/14	3	Moderate

The UV Index is measured on a 0-11 number scale, with a higher UV Index showing the need for greater skin protection. 0 — 11

Area Cities

City	Hi	Lo	Cond.	City	Hi	Lo	Cond.	City	Hi	Lo	Cond.
Beaver	46	24	pt sunny	Grand Jct, CO	37	21	pt sunny	Price	28	19	pt sunny
Blanding	45	22	mst sunny	Green River	37	19	pt sunny	Provo	43	31	pt sunny
Brigham City	37	30	pt sunny	Heber City	33	18	pt sunny	Richfield	46	23	pt sunny
Cedar City	49	23	pt sunny	Kanab	47	24	pt sunny	Roosevelt	29	14	pt sunny
Delta	45	26	pt sunny	Logan	35	27	pt sunny	Salt Lake City	39	32	pt sunny
Elko, NV	39	21	pt sunny	Moab	39	21	pt sunny	Sandy	39	33	pt sunny
Evanston, WY	34	24	pt sunny	Mt. Pleasant	35	23	pt sunny	St. George	57	36	pt sunny
Farmington, NM	44	19	mst sunny	Ogden	38	31	pt sunny	Tooele	39	32	pt sunny
Fillmore	47	27	pt sunny	Park City	32	26	pt sunny	Vernal	30	13	pt sunny
Flagstaff, AZ	43	14	mst sunny	Preston, ID	33	25	pt sunny	Wendover	43	30	pt sunny

National Cities

City	Hi	Lo	Cond.	City	Hi	Lo	Cond.	City	Hi	Lo	Cond.
Atlanta	58	32	sunny	Houston	73	55	mst sunny	Phoenix	74	46	sunny
Boston	37	18	sn shower	Los Angeles	72	49	cloudy	San Francisco	63	45	pt sunny
Chicago	7	5	windy	Miami	77	64	pt sunny	Seattle	47	42	rain
Dallas	70	50	sunny	Minneapolis	-1	-2	cloudy	St. Louis	30	22	sunny
Denver	52	30	mst sunny	New York	37	19	windy	Washington, DC	41	22	windy

©2005 American Profile Hometown Content Service